

Egyptian Regional Human Rights Authority
Meeting Minutes
January 28, 2014

The regular meeting of the Human Rights Authority (HRA) was held at Union County Counseling, 202 South Street, Anna, IL. Vice-Chairperson Judy Atherton called the meeting to order at 5:21 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Mary McMahan, Jim Livesay, Paul Jones, Sue Barfield and Judy Atherton

Members Absent: Clarence Russell, Al Farmer, Sharon Mumford and Pam O'Connor

Staff Present: Kim Conway

Guests: None

Minutes: Sue Barfield made a motion to approve the November 19, 2013 meeting minutes. Paul Jones seconded and it carried.

Communications: Kim Conway distributed new identification cards to members and discussed the training in Springfield in May. She asked the members to share any topic suggestions they have for the training. One possible topic that was mentioned was special education rights. Another was training on healthcare changes and what role the HRA might have in regards to that with primary care services. The Ethics Training signature pages were collected from members acknowledging they read the training materials. There was discussion about the new community human rights authority (CHRA) and the progress made in getting that started. Kim Conway shared that recruitment had begun and there are 5 members so far. The board discussed other possible candidates for both the CHRA and the regional HRA board which will have a vacancy in June. Kim Conway asked that any possible candidate names be forwarded to her; she will sort and forward CHRA candidates to Awisi Quartey and send applications for the regional board candidates.

Ratifications:

14-110-9009 Choate Mental Health and Developmental Center - This case was an emergency case opening on 12/20/13 with votes from Judy Atherton, Pam O'Connor, Sue Barfield and Clarence Russell. The complaint alleges that a patient was admitted to the developmental side of Choate on an administrative admission by her guardian in April, 2012 however, no new admission paperwork was received or signed and Choate waited until November, 2013 to petition for a judicial admission. We have a signed release. Judy Atherton made a motion to ratify, Mary McMahan seconded and it carried.

14-110-9011 Chester Mental Health - This case was an emergency case opening on 12/26/13 with votes from Sue Barfield, Mary McMahan and Clarence Russell. It alleges that a recipient is not being served in the least restrictive environment and transfer criteria are not discussed during treatment planning meetings. We have a signed release. Judy Atherton made a motion to ratify, Sue Barfield seconded and it carried.

New Complaints:

14-110-9010 State Operated Facility - Alleges that a recipient's family member was contacted and invited to a care plan meeting without the recipient's permission. A release was sent on 12/23/13 and a follow up letter was sent on 1/10/14 noting that if a response is not received by 1/16/14 the case will be closed. No response was received. Mary McMahan made a motion to not accept the complaint for investigation due to not having a signed release, Judy Atherton seconded and it carried.

14-110-9012 State Operated Mental Health Facility - Alleges inadequate treatment when a recipient did not see a therapist for 7 weeks and did not receive proper medical care for a rash; inappropriate seclusion based on false information and documentation; inappropriate property restriction including clothing, magazines, game and legal documents; inadequate OIG investigative process of staff abuse and unsanitary living conditions. Judy Atherton made a motion to accept the case for investigation, Jim Livesay seconded and it carried.

14-110-9013 State Operated Mental Health Facility - Alleges that a recipient's visits were terminated without a good reason; that a breach of confidentiality occurred and inappropriate administration of medication. Sue Barfield made a motion to accept the case for investigation, Judy Atherton seconded and it carried.

Other New Business: None.

Unfinished Business: A motion was made by Jim Livesay to enter closed session at 5:42 p.m. Sue Barfield seconded and it carried. The following summary of items were discussed in closed session: Case progress was reviewed for cases # 13-110-9034, 13-110-9035, 13-110-9038, 14-110-9005 and 14-110-9009. Draft reports were reviewed for cases #13-110-9029 and 13-110-9030. Case closure was considered for cases #13-110-9010, 13-110-9027 and 14-110-9008. Sue Barfield made a motion to return to open session at 6:33 p.m. having taken no action in closed session, Paul Jones seconded and it carried.

Case Progress Reports:

13-110-9034 - Massac County School District - Two site investigations have been completed as well as a chart review at Massac Unit one office. Sue Barfield and Kim Conway met with the Superintendent, Special Education Director, the student's mother and the High School Principal. One more site visit is needed in order to meet with the Jr. High Principal. The case is still under investigation.

13-110-9035 - Healthcare and Family Services (HFS) - Jim Livesay, Sharon Mumford and Kim Conway completed the site investigation at the CILA home, reviewed the chart and Met with house manager Greg Blakely. Jim Livesay and Kim Conway met with Dr. Johnson. The pharmacist that dealt with HFS will be contacted and then the case should be ready for report.

13-110-9038 Choate Mental Health and Developmental Center - The HRA received all the records requested. Once reviewed in detail, the case should be ready for a report.

14-110-9005 H Group - Jim Livesay and Kim Conway completed the site visit on 12/18/13. The records requested have been received, once reviewed the case will be ready for report.

14-110-9009 Choate Mental Health and Developmental Center - The site visit needs to be scheduled. The case is still under investigation.

Report of Findings:

13-110-9029 Choate Mental Health and Developmental Center - The board discussed revising the wording in one of the recommendations. Mary McMahan made a motion to approve the draft report as revised and send it to the provider. Judy Atherton seconded and it carried.

13-110-9030 Choate Mental Health and Developmental Center - Mary McMahan made a motion to approve the draft report as stated and send it to the provider. Judy Atherton seconded and it carried.

Case Closures:

13-110-9010 Choate Mental Health and Developmental Center - The draft report was originally sent to Choate in November, 2013. A letter reminding Choate that the HRA was awaiting a response was sent on January 10, 2014 with a deadline of January 23, 2014 to respond. At the time of the meeting, no response had been received and Choate had not communicated with the HRA requesting an extension of time to respond or providing a status update. Judy Atherton made a motion to close the case and pursue a referral for enforcement action, Paul Jones seconded and it carried. Mary McMahan abstained from voting due to a conflict of interest.

13-110-9027 Trafford Estates - No response to the report of findings was received, none was required. Judy Atherton made a motion to close the case and make the report a part of the public record, Sue Barfield seconded and it carried.

14-110-9008 Choate Mental Health and Developmental Center - The draft report was originally sent to Choate in November, 2013. A letter reminding Choate that the HRA was awaiting a response was sent on January 10, 2014 with a deadline of January 23, 2014 to respond. At the time of the meeting, no response had been received and Choate had not communicated with the HRA requesting an extension of time to respond or providing a status update. Judy Atherton made a motion to close the case and pursue a referral for enforcement action, Paul Jones seconded and it carried.

Other Unfinished Business: There was some discussion about the new medium security wing at Chester Mental Health that is scheduled to open in March and some concerns that have already been brought to the attention of the HRA regarding mixing medium and maximum security patients. Kim Conway agreed to set up a meeting with Leah Hammel, Administrator and Dr. Maitra, Medical Director to discuss the HRA's concerns and to contact Equip for Equality for legal information on mixing medium and maximum security populations.

Paul Jones left the meeting due to a conflict of interest with the remaining cases; therefore a quorum was not present for the remainder of the meeting. A motion was made by Sue Barfield to re-enter closed session at 6:55 p.m. to discuss confidential information regarding case progress, draft reports and case closures involving Chester Mental Health Center. Mary McMahan seconded and it carried. The HRA returned to open session at 8:07 p.m. having taken no action in closed session. The following summary of items were discussed in closed session: Case progress was reviewed for Cases #13-110-9028, 13-110-9033, 13-110-9036, 13-110-9037, 13-110-9039, 13-110-9040, 13-110-9041, 14-110-9001, 14-110-9002, 14-110-9006, 14-110-9007 and 14-110-9011. Draft reports were reviewed for Cases #13-110-9021, 13-110-9026, 13-110-9031 and 13-110-9032. Case closures were considered for Cases #13-110-9008, 13-110-9020 and 13-110-9025.

Case Progress Reports:

13-110-9028 - Chester Mental Health - The recipient was transferred to another facility. Chester records that were requested from that facility have been received. Once the records have been reviewed in detail, the case will be ready for a report.

13-110-9033 - Chester Mental Health - The report is in progress.

13-110-9036 - Chester Mental Health - The recipient has been transferred to another facility. The records have all been received and the case is ready for a report.

13-110-9037 - Chester Mental Health - The HRA met with the recipient and reviewed his chart. All copies of records requested have been received. The case is ready for a report.

13-110-9039 - Chester Mental Health - The chart was reviewed and all records requested have been received. The OIG is also investigating. The HRA may need to review the outcome of the outside investigation before concluding the case since the allegation involves staff not preventing abuse from occurring. The case is still under investigation.

13-110-9040 - Chester Mental Health - The recipient has been transferred to another facility. The chart was reviewed and all copies of records requested have been received. The case is ready for a report.

13-110-9041 - Chester Mental Health - The HRA met with the recipient and reviewed his chart. All copies of records requested have been received. The case is ready for a report.

14-110-9001 - Chester Mental Health - The HRA met with the recipient and reviewed his chart. All copies of records requested have been received. The case is ready for a report.

14-110-9002 - Chester Mental Health - The HRA met with the recipient and reviewed his chart. All copies of records requested have been received. The case is ready for a report.

14-110-9006 Chester Mental Health - The HRA met with the recipient. A chart review is still needed. The case is still under investigation.

14-110-9007 Chester Mental Health - The HRA met with the recipient. A chart review is still needed. The case is still under investigation.

14-110-9011 Chester Mental Health - The HRA met with the recipient and reviewed his chart. All records requested have been received. The case is ready for a report.

14-110-9012 Chester Mental Health - The HRA met with the recipient. A chart review is still needed. The case is still under investigation.

14-110-9013 Chester Mental Health - The HRA met with the recipient and spoke with his fiancé. A chart review is still needed. The case is still under investigation.

Reports of Findings:

13-110-9021 Chester Mental Health - The draft report was reviewed. The board had no changes. Judy Atherton made a motion to approve the draft report as stated and send to the provider, Sue Barfield seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

13-110-9026 Chester Mental Health - The draft report was reviewed. The board had no changes. Judy Atherton made a motion to approve the draft report as stated and send to the provider, Sue Barfield seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

13-110-9031 Chester Mental Health - The draft report was reviewed. There was discussion about the OIG's report and their definition of neglect. A revision of the report was requested to include the OIG definition of neglect. Judy Atherton made a motion to approve the draft report as revised and send it to the provider, Jim Livesay seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

13-110-9032 Chester Mental Health - The draft report was reviewed. The board had no changes. Judy Atherton made a motion to approve the draft report as stated and send it to the provider, Sue Barfield seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

Case Closures

13-110-9008 Chester Mental Health - The facility's response to recommendations were reviewed. The board discussed tabling case closure until the trainings scheduled as a response to the HRA recommendations have occurred. Judy Atherton made a motion to table case closure until the HRA receives verification of training completion, Jim Livesay seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

13-110-9020 Chester Mental Health - No response to the report of findings was received, none was required. Judy Atherton made a motion to close the case and make the report a part of the public record, Sue Barfield seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

13-110-9025 Chester Mental Health - No response to the report of findings was received, none was required. Judy Atherton made a motion to close the case and make the report a part of the public record, Sue Barfield seconded and it carried. Kim Conway will call the absent board members for their vote and the case will be ratified at the next meeting.

Other Unfinished Business:

The next meeting is scheduled for 5:00 p.m. on March 25, 2014 at Shawnee Community College Extension in Metropolis, IL.

Sue Barfield made a motion to adjourn at 8:13 p.m. Jim Livesay seconded and it carried.

Respectfully Submitted,
Pam O'Connor, Secretary